

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

STATE OF OHIO, *ex rel.*
ATTORNEY GENERAL DAVE YOST,

Plaintiff,

v.

AARON MICHAEL JONES, *et al.*,

Defendants.

CASE NO.
2:22-cv-02700-ALM-KAJ

JUDGE:
Hon. Algenon L. Marbley

ANSWER AND JURY DEMAND
OF DEFENDANT ROY MELVIN
COX JR.

COMES NOW, Defendant Roy Melvin Cox Jr., by and through counsel and for his Answer to the Complaint of the State of Ohio, *ex rel.* Attorney General Dave Yost [Doc. #1], states as follows:

Defendant denies each and every allegation of the Complaint not expressly or otherwise admitted below. Defendant also specifically reserves the right to assert any additional defenses and matters in avoidance as may be disclosed during the course of additional investigation and discovery.

INTRODUCTION

Defendant denies that his acts and practices are why Americans have grown so frustrated with unlawful robocalls, as alleged in the first paragraph of the Introduction to the Complaint. Defendant lacks sufficient knowledge to admit or deny the remaining allegations in paragraph the first paragraph of the Introduction to the Complaint and therefore denies the same.

Defendant denies that he directed at least 800 million call attempts to Ohioans as alleged in the second paragraph of the Introduction to the Complaint. Defendant lacks sufficient knowledge to admit or deny the remaining allegations in the second paragraph of the Introduction to the Complaint and therefore denies the same.

Defendant lacks sufficient knowledge to admit or deny the allegations in the third paragraph of the Introduction to the Complaint and therefore denies the same.

Defendant lacks sufficient knowledge to admit or deny the allegations in the fourth paragraph four of the Introduction to the Complaint and therefore denies the same.

Defendant lacks sufficient knowledge to admit or deny the allegations in the fifth paragraph of the Introduction to the Complaint and therefore denies the same.

PREAMBLE

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

1. The allegations in paragraph 1 of the Preamble to the Complaint state legal conclusions to which no response is required. To the extent a response is required, Defendant denies the allegations in paragraph 1 of the Complaint.

JURISDICTION AND VENUE

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

2. The allegations in paragraph 2 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies such allegations.

3. Defendant denies the allegation in paragraph 3 as to this answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations which pertain to other Defendants, and therefore, denies such allegations.

4. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 4 and therefore denies such allegations.

5. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 5 and therefore denies such allegations.

6. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 6 and therefore denies such allegations.

COMMERCE

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

7. The allegations in paragraph 7 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies such allegations.

PLAINTIFF

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

8. Defendant admits the allegations in paragraph 8 which describe the actions of Plaintiff. However, Defendant denies any allegation that he engaged in such conduct or that Plaintiff is entitled to damages from this answering Defendant.

9. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 9 and therefore denies such allegations.

10. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 10 and therefore denies such allegations.

DEFENDANTS

The Corporate Defendants

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

11. Defendant admits the allegations in paragraph 11. However, Defendant denies the characterization of Technologic USA, Inc. as a “Financial Shell Defendant.”

12. Defendant admits the allegation that Technologic, Inc. is a foreign corporation. Defendant lacks sufficient information or knowledge, however, to admit or deny the remaining allegations in paragraph 12, and therefore denies such allegations.

13. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 13 and therefore denies such allegations.

14. Defendant admits the allegation in paragraph 14, except Defendant, denies Plaintiff's characterization of Virtual Telecom Inc. as a "Financial Shell Defendant."

15. Defendant admits the allegation in paragraph 15 that Virtual Telecom Kft is a foreign corporation. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 15 and therefore denies the allegations.

16. Defendant admits the allegation in paragraph 15 that Virtual Telecom Kft is a foreign corporation. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 16 and therefore denies the allegations.

17. Defendant admits the allegations in paragraph 17 that Davis Telecom, Inc. was a Wyoming corporation formed in June 2018 with its principal place of business in Cheyenne, Wyoming. However, Defendant denies the characterization of Davis Telecom, Inc. as a "Financial Shell Defendant." Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 17, and therefore, denies such allegations.

18. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 18 and therefore denies such allegations.

19. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 19 and therefore denies such allegations.

20. Defendant admits the allegation in paragraph 20, except Defendant, denies Plaintiff's characterization of Sumco Panama USA as a "Financial Shell Defendant."

21. Defendant admits the allegation in paragraph 21 that Sumco Panama SA is a foreign corporation. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 21 and therefore denies such allegations.

22. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 22 and therefore denies such allegations.

23. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 23 and therefore denies such allegations.

24. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 24 and therefore denies such allegations.

25. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 25 and therefore denies such allegations.

26. Defendant admits the allegation in paragraph 26 that Roy Melvin Cox, Jr. is an Individual and that he resides in California. Defendant denies the remaining allegations in paragraph 26.

27. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 27 and therefore denies such allegations.

28. Defendant admits the allegation in paragraph 28 that Julie Bridge is an individual who lives in Upland, California and that she is an officer of Technologic USA, Virtual US, and Davis US. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations. Defendant denies the remaining allegations in paragraph 28.

29. Defendant admits the allegations in paragraph 29 that June Batista is an Individual who lives in Costa Mesa, California. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 29 and therefore denies such allegations.

30. Defendant admits the allegations in paragraph 30 that Jovita Migdaris Cedeno Luna is an officer and director of Sumco Panama who resides in Panama. Defendant denies the allegation that Cedeno resides in Tustin, California. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 30 and therefore denies such allegations.

31. Defendant admits the allegation that Livia Szuromi is an Individual who resides in Panama and was an officer of Davis US and Davis Panama. Defendant denies the allegation in paragraph 31 that Szuromi resides in Tustin, California. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 31 and therefore denies such allegations.

32. Defendant admits the allegation in paragraph 32 that Andrea Horvath is an individual who resides in Budapest, Hungary, and is an officer of Virtual Hungary. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 32 and therefore denies such allegations.

ALLEGED CASE BACKGROUND

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

33. Defendant denies the allegations in paragraph 33 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations as to the other Defendants and therefore denies such allegations.

34. Defendant denies the allegations in paragraph 34 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations as to the other Defendants and therefore denies such allegations.

35. Defendant denies the allegations in paragraph 35 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations as to the other Defendants and therefore denies such allegations.

36. Defendant denies the allegations in paragraph 36 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations as to the other Defendants and therefore denies such allegations.

37. Defendant denies the allegations in paragraph 37 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations as to the other Defendants and therefore denies such allegations.

38. Defendant admits the allegation in paragraph 38 that the Technologic USA, Virtual US, Tech Direct, Sumco USA, and Davis US obtained bank accounts. Defendant denies the remaining allegations in paragraph 38 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations that pertain to other Defendants and therefore denies such allegations.

39. Defendant admits the allegation that he was sued by the FTC in 2011. Defendant denies the remaining allegations in paragraph 39 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 39 and therefore denies such allegations.

40. Defendant denies the allegations in paragraph 40 that are alleged as to this Answering Defendant.

41. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 41 and therefore denies such allegations.

DEFENDANTS' ALLEGED BUSINESS ACTIVITIES

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

42. Defendant denies the allegations in paragraph 42 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations as to the other Defendants and therefore denies such allegations.

43. Defendant denies the allegations in paragraph 43 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations as to the other Defendants and therefore denies such allegations.

44. Defendant denies the allegations in paragraph 44 that are alleged as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations as to the other Defendants and therefore denies such allegations.

45. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 45 and therefore denies such allegations.

46. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 46 and therefore denies such allegations.

47. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 47 and therefore denies such allegations.

48. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 48 and therefore denies such allegations.

49. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 49 and therefore denies such allegations.

50. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 50 and therefore denies such allegations.

51. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 51 and therefore denies such allegations.

52. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 52 and therefore denies such allegations.

53. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 53 and therefore denies such allegations.

54. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 54 and therefore denies such allegations.

55. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 55 and therefore denies such allegations.

Alleged Abusive Telemarking Practices
Alleged Spoofing – Failing to Transmit Accurate Caller ID

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

56. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 56 and therefore denies such allegations.

57. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 57 and therefore denies such allegations.

58. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 58 and therefore denies such allegations.

59. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 59 and therefore denies such allegations.

60. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 60 and therefore denies such allegations.

61. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 61 and therefore denies such allegations.

62. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 62 and therefore denies such allegations.

63. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 63 and therefore denies such allegations.

Alleged Unlawful Robocalls

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

64. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 64 and therefore denies such allegations.

65. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 65 and therefore denies such allegations.

66. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 66 and therefore denies such allegations.

67. Defendant denies the allegations in paragraph 67 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 67 and therefore denies such allegations.

68. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 68 and therefore denies such allegations.

69. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 69 and therefore denies such allegations.

70. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 70 and therefore denies such allegations.

71. Defendant denies the allegations in paragraph 71 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 71 and therefore denies such allegations.

72. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 72 and therefore denies such allegations.

73. Defendant denies the allegations in paragraph 73 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 73 and therefore denies such allegations.

74. Defendant denies the allegations in paragraph 74 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 74 and therefore denies such allegations.

75. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 75 and therefore denies such allegations.

76. Defendant denies the allegations in paragraph 76 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 76 and therefore denies such allegations.

Alleged Do Not Call Registry Violations

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

77. Defendant denies the allegations in paragraph 77 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 77 and therefore denies such allegation.

Alleged Seller-Specific Do Not Call Registry Violations

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

78. Defendant denies the allegations in paragraph 78 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 78 and therefore denies such allegations.

79. Defendant denies the allegations in paragraph 79 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 79 and therefore denies such allegations.

80. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 80 and therefore denies such allegations.

Alleged Rob calls Without Required Disclosures

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

81. Defendant denies the allegations in paragraph 81 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

82. Defendant denies the allegations in paragraph 82 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

**ALLEGED COMMON ENTERPRISE AND
INTERCHANGEABLE IDENTIFIES**

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

83. Defendant denies the allegations in paragraph 83 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

84. Defendant denies the allegations in paragraph 84 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

**Call Originator Defendants' and
Financial Shell Defendants' Alleged Participation in
Common Enterprise**

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

85. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 85 and therefore denies such allegations.

86. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 86 and therefore denies such allegations.

87. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 87 and therefore denies such allegations.

88. Defendant denies the allegations in paragraph 88 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

89. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 89 and therefore denies such allegations.

90. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 90 and therefore denies such allegations.

91. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 91 and therefore denies such allegations.

92. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 92 and therefore denies such allegations.

93. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 93 and therefore denies such allegations.

94. Defendant admits the allegation in paragraph 94 that Davis US., Technologic USA, Inc., and Virtual Telecom Inc. obtained bank accounts. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 94 of the Complaint and therefore denies such allegations.

95. Defendant denies the allegations in paragraph 95 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

96. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 96 and therefore denies such allegations.

97. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 97 and therefore denies such allegations.

Individual Defendants' Alleged Participation in the Common Enterprise

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

98. Defendant denies the allegations in paragraph 98 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

99. Defendant lacks sufficient information to admit or deny allegations pertaining to Jones and Yim and therefore denies such allegations.

A. Defendant denies the allegations in paragraph 99(A) of the Complaint.

B. Defendant denies the allegations in paragraph 99(B) of the Complaint

C. Defendant admits he was a signatory on the accounts for Virtual and Davis for a brief time period.

D. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 99(D) and therefore denies the allegations.

E. Defendant admits the allegations in paragraph 99(E).

F. Defendant denies the allegation that he shares an apartment with Szuromi in Panama. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 99(F) and therefore denies such allegations.

G. Defendant admits the allegation that he received funds from the bank accounts of various Defendants (The technologic USA, Virtual US, Tech Direct, and Sumco Panama). However, Defendant lacks sufficient information or knowledge to admit or deny the allegation as to the exact amount of such funds and therefore denies such allegations.

H. Defendant admits the allegation in paragraph 99(H).

I. Defendant denies the allegations in paragraph 99(I) of the Complaint.

100. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 100, and therefore denies such allegations, except as follows:

101. Defendant denies the allegations in paragraph 101 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 101 and therefore denies such allegations.

102. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 102, and therefore denies such allegations, particularly as to paragraphs 102(A) and 102(B), except as follows:

C. Defendant admits that he sent small payments to Cedeno. Defendant denies the remaining allegations in paragraph 102(C) as to this Answering Defendant.

103. Defendant admits the allegation in paragraph 103(B) that Szuromi is an officer or director of Davis US. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 103 and therefore denies such allegations.

104. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 104, and therefore denies such allegations, except as follows:

A. Defendant admits the allegation in paragraph 104(A) that Bridge opened financial accounts for Virtual US, Davis US, and Technologic USA.

B. Defendant lacks sufficient information or knowledge to admit or deny the allegation in paragraph 104(B) and therefore denies such allegation.

C. Defendant admits the allegation in paragraph 104(C) that Bridge opened an account for Davis US. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 104(C) and therefore denies such allegations.

D. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 104(D) and therefore denies such allegations.

E. Defendant admits the allegation in paragraph 104(E) that Bridge received income for her services for Davis US. Defendant denies the allegation that Bridge received thousands of dollars from Defendant, except Defendant, admits that he loaned Bridge \$20,000.00. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 104(E) and therefore denies such allegations.

F. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 104(F) and therefore denies such allegations.

105. Defendant admits the allegation in paragraphs 105(A) and (B) that Batista opened bank accounts for Tech Direct. Defendant admits the allegation that he made payments to Batista, but denies the allegation that such payments were for her participation in any common enterprise. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations in paragraph 105 and therefore denies such allegations. Except as expressly admitted, Defendant denies the remaining allegations as to this Answering Defendant.

106. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 106 and therefore denies such allegations.

107. Defendant denies the allegations in paragraph 107 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

Alleged Straw Directors' Alleged Roles in the Common Enterprise

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

108. Defendant denies the allegations in paragraph 108 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

109. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 109 and therefore denies such allegations.

110. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 110 and therefore denies such allegations.

111. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 111 and therefore denies such allegations.

112. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 112 and therefore denies such allegations.

PIERCING THE CORPORATE VEIL

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

113. Defendant denies the allegations in paragraph 113 as to this Answering Defendant.

Corporations Allegedly Showed No Respect for Corporate Formalities

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

114. Defendant denies the allegations in paragraph 114 as to this Answering Defendant.

115. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 115 and therefore denies such allegations

116. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 116 and therefore denies such allegations

117. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 117 and therefore denies such allegations

118. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 118 and therefore denies such allegations

119. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 119 and therefore denies such allegations.

120. Defendant denies the allegations in paragraph 120 as to this Answering Defendant.

121. Defendant denies the allegations in paragraph 121 as to this Answering Defendant.

Alleged Fraudulent Intent

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

122. Defendant denies the allegations in paragraph 122 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 122 and therefore denies such allegations.

123. Defendant denies the allegations in paragraph 123 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 123 and therefore denies such allegations.

124. Defendant denies the allegations in paragraph 124 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 124 and therefore denies such allegations.

125. Defendant denies the allegations in paragraph 125 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 125 and therefore denies such allegations.

126. Defendant denies the allegations in paragraph 126 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 126 and therefore denies such allegations.

Alleged Injustice if Defendants' Corporate Form is Respected

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

127. Defendant denies the allegations in paragraph 127 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 127 and therefore denies such allegations.

128. Defendant denies the allegations in paragraph 128 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

129. Defendant denies the allegations in paragraph 129 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

TELEPHONE CONSUMER PROTECTION ACT

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

130. The allegations in paragraph 130 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 130.

131. The allegations in paragraph 131 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 131.

132. The allegations in paragraph 132 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 132.

133. The allegations in paragraph 133 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 133.

134. The allegations in paragraph 134 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 134.

135. The allegations in paragraph 135 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 135.

136. The allegations in paragraph 136 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 136.

137. The allegations in paragraph 137 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 137.

138. The allegations in paragraph 138 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 138.

139. Defendant denies the allegations in paragraph 139 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

THE TELEMARKETING SALES RULE

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

140. The allegations in paragraph 140 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 140.

141. The allegations in paragraph 141 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 141.

142. The allegations in paragraph 142 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 142.

143. The allegations in paragraph 143 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 143.

144. The allegations in paragraph 144 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 144.

145. The allegations in paragraph 145 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 145.

146. The allegations in paragraph 146 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 146.

147. The allegations in paragraph 147 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 147.

148. The allegations in paragraph 148 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 148.

149. The allegations in paragraph 149 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 149.

150. The allegations in paragraph 150 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 150.

151. The allegations in paragraph 151 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 151.

152. The allegations in paragraph 152 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 152.

153. The allegations in paragraph 153 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 153.

154. The allegations in paragraph 154 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 154.

155. The allegations in paragraph 155 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 155.

156. Defendant denies the allegations in paragraph 156 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

**ALLEGED VIOLATIONS OF
THE TELEPHONE CONSUMER PROTECTION ACT**

**Count I
Alleged Unlawful Robocalls to Cellular Numbers**

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

157. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 157 and therefore denies such allegations.

158. Defendant denies the allegations in paragraph 158 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

159. Defendant denies the allegations in paragraph 159 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

160. Defendant denies the allegations in paragraph 160 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

Count II
Alleged Unlawful Robocalls to Residential Numbers

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

161. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 161 and therefore denies such allegations.

162. Defendant denies the allegations in paragraph 162 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

163. Defendant denies the allegations in paragraph 163 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

164. Defendant denies the allegations in paragraph 164 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

Count III
Alleged Calls to Numbers on the National DNC Registry

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

165. Defendant denies the allegations in paragraph 165 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

166. Defendant denies the allegations in paragraph 166 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

167. Defendant denies the allegations in paragraph 167 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

168. Defendant denies the allegations in paragraph 168 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

Count IV
Alleged Failure to Disclose Caller's Identity

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

169. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 161 and therefore denies such allegations.

170. Defendant denies the allegations in paragraph 170 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

171. Defendant denies the allegations in paragraph 171 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

172. Defendant denies the allegations in paragraph 172 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

ALLEGED VIOLATIONS OF THE TELEMARKETING SALES RULE

Count V Alleged Unlawful Robocalls

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

173. Defendant denies the allegations in paragraph 173 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

Count VI Alleged Misleading Representations

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

174. Defendant denies the allegations in paragraph 174 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

175. Defendant denies the allegations in paragraph 175 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

Count VII Alleged Failure to Honor Do Not Call Requests

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

176. Defendant denies the allegations in paragraph 176 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

Count VIII
Alleged Failure to Transmit Accurate Caller ID

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

177. Defendant denies the allegations in paragraph 177 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

VIOLATIONS OF OHIO LAWS

Count IX
Alleged Violations of Ohio Consumer Sales Practices Act

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

178. The allegations in paragraph 178 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 178.

179. Defendant denies the allegations in paragraph 179 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

180. Defendant denies the allegations in paragraph 180 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

181. The allegations in paragraph 181 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 181.

182. Defendant denies the allegations in paragraph 182 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

183. Defendant denies the allegations in paragraph 183 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

184. Defendant denies the allegations in paragraph 184 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

185. Defendant denies the allegations in paragraph 185 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

186. Defendant denies the allegations in paragraph 186 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

187. Defendant denies the allegations in paragraph 187 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

Count X
Alleged Violations of Ohio's Telephone Solicitation Sales Act

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

188. The allegations in paragraph 188 state legal conclusions to which no response is required. To the extent a response is required, Defendant denies that he violated the provisions identified by Plaintiff in paragraph 188.

189. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 189 and therefore denies such allegations.

190. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 190 and therefore denies such allegations.

191. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 191 and therefore denies such allegations.

192. Defendant denies the allegations in paragraph 192 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

193. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 193 and therefore denies such allegations

194. Defendant lacks sufficient information or knowledge to admit or deny the allegations in paragraph 194 and therefore denies such allegations.

195. Paragraph 195 is omitted from the Complaint, and therefore, no response is required.

196. Paragraph 196 is omitted from the Complaint, and therefore, no response is required.

197. Paragraph 197 is omitted from the Complaint, and therefore, no responses are required.

198. Paragraph 198 is omitted from the Complaint, and therefore, no response is required.

199. Defendant denies the allegations in paragraph 199 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

ALLEGED CONSUMER INJURY

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

200. Defendant denies the allegations in paragraph 200 as to this Answering Defendant. Defendant lacks sufficient information or knowledge to admit or deny the remaining allegations and therefore denies such allegations.

201. Defendant denies any further allegations of Plaintiff's Complaint not expressly admitted herein.

AFFIRMATIVE DEFENSES

Defendant incorporates the preceding paragraphs of this Answer as if fully rewritten.

1. The Complaint fails to state a claim upon which relief can be granted.
2. The Complaint fails to state a claim upon which relief may be granted for alleged deceptive or misleading acts or practices, as Plaintiff has failed to plead with the particularity required by Civil Rule 9.
3. Some or all matters alleged by the Complaint to have been unlawful occurred outside and beyond the applicable statute(s) of limitation, including but not limited to 28 U.S.C. §1658 and Ohio Revised Code §1345.10.
4. Some or all of the matters alleged by the Complaint to have been unlawful involved conduct by third parties which was not authorized by, controlled by, nor known by this answering Defendant.

5. To the extent that Plaintiff seeks monetary damages on behalf of any alleged class of victims, it has failed to comply with the procedures for a class claim and thereby denies Defendant the due process guaranteed by such procedures.

6. Plaintiff's Complaint conflates, without distinction, lawful conduct involving rights of free speech and association protected by the First Amendment to the United States Constitution with unlawful conduct. The threat of suit under the vague regulatory standards asserted by Plaintiff in the Complaint (such as "facilitating and assisting" alleged improper telemarketing) in and of itself constitutes an unlawful prior restraint of such First Amendment rights.

7. Plaintiff has failed to promulgate standards or definitions that permit a reasonable person (1) to distinguish lawful from allegedly unlawful "facilitating or assisting" or prohibited telemarketing campaigns, or (2) to determine what level of inquiry is required to avoid liability under the Plaintiff's "consciously avoided knowing" standard of culpability. To the extent that Plaintiff asserts a right to define the targeted conduct or state of mind on a case-by-case basis, it is engaging in retroactive rule-making in violation of the Administrative Procedures Act, 5 U.S.C. §500, *et seq.*

8. Any telephone calls which were allegedly made or facilitated by Defendant were exempt from the "Do Not Call" provision of the Federal Trade Commission's Telephone Sales Rule.

9. This answering Defendant objects that the Complaint conflates lawful with unlawful telemarketing activity and implies that material regulatory and statutory changes may and should be applied retroactively. Any such *ex post facto* application of a material regulatory or statutory change denies this answering Defendant's procedural and substantive due process.

10. Plaintiff's claims are barred in whole or in part by equitable doctrines, including without limitation the doctrines of laches, waiver, fraud, estoppel, and unclean hands.

11. Plaintiff has failed to mitigate any alleged damages.

12. Plaintiff's claims are barred by the intervening fraud of a third party.

13. Plaintiff's Complaint is barred by the intervening negligence of a third party.

14. The Complaint fails to allege fraud with particularity as required by Civil Rule 9.

15. The Complaint fails to name necessary and indispensable parties.

16. Defendant serves notice that he intends to rely upon and assert all additional affirmative defenses that become apparent during the course of discovery in this action, and reserves the right to amend his Answer to assert any and all such affirmative defenses.

PRAYER FOR RELIEF

WHEREFORE, Defendant Roy Melvin Cox Jr. prays as follows:

1. That Plaintiff take nothing by way of its Complaint;
2. That judgment be rendered in favor of this Defendant
3. That this Defendant be awarded his costs of suit and attorney's fees incurred in defense of this action;
4. Equitable relief; and
5. For such other relief as the Court deems necessary and proper.

JURY DEMAND

Defendant demands a jury trial on all issues so triable.

Respectfully submitted,

/s/ Justin Whittaker

Justin Whittaker, Esq. (0093212)

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Trial Attorneys for Defendants Roy
Melvin Cox Jr. and Julie Kathryn Bridge

CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2022, a copy of the foregoing was filed with the Clerk of Court using the CM/ECF system and by email to the following:

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/s/ Justin Whittaker

Justin Whittaker, Esq. (0093212)